ORIGINAL

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

In the Matter of		DOCKET FILE COPY ORIGINAL
Table	ndment of Section 73.202(b), e of Allotments,	) MB Docket No. 05-248 ) RM-11262
FM Broadcast Stations. (Midway, Falmouth and Owingsville,		RECEIVED
	ucky)	) SEP 1 9 2005
To:	Marlene H. Dortch, Secretary Office of the Secretary Attn: Chief, Audio Division	Federal Communications Commission Office of Secretary

# COMMENTS AND COUNTERPROPOSAL

Media Bureau

Educational Media Foundation ("EMF"), by its undersigned attorneys and pursuant to Section 1.420 of the Commission's rules, hereby submits its Comments and Counterproposal in response to the above-referenced Notice of Proposed Rule Making ("NPRM"). The NPRM was issued in response to the Petition for Rule Making filed jointly by L.M. Communications of Kentucky, LLC ("LMC"), licensee of WBTF(FM), Channel 300A, Midway, Kentucky, and Gateway Radio Works, Inc. ("Gateway"), licensee of WKCA(FM), Channel 299A, Owingsville, Kentucky, to substitute Channel 298C3 for Channel 300A at Midway, Kentucky, and modify the license of WBTF accordingly. To accommodate this change, petitioners have requested the substitution of Channel 295A for Channel 299A at Owingsville, Kentucky, and modification of the WKCA license accordingly and substitution of Channel 298A at

No. of Copies recid 014 List ABCDE Falmouth, Kentucky, and modification of the license of WIOK(FM), Falmouth, Kentucky, licensed to Hammond Broadcasting, Inc., Ltd., accordingly.<sup>1/</sup>

In lieu of petitioners' requested channel changes, EMF, licensee of WHIR-FM, Channel 296A, Danville, Kentucky, requests that the Commission amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, to (i) reallot Channel 296A from Danville to Wilmore, Kentucky, and modify the license of WHIR-FM to specify Wilmore as its community of license and (ii) allot Channel 298A at Perryville, Kentucky, as that community's first local transmission service. Petitioners' proposed channel changes are mutually exclusive with both the WHIR-FM reallotment and the Perryville allotment. As demonstrated herein, EMF's allotment proposal is preferable to petitioners' proposed channel changes because it will result in the provision of a new broadcast service to more people and will provide a first local service to the Perryville community, while Danville will not be deprived of local service. Should the proposal set forth herein be adopted, EMF will expeditiously submit a minor change application for a construction permit specifying the new WHIR-FM facility as requested herein, and once the construction permit is granted, will proceed promptly to file an application for a covering license for the station licensed to Wilmore. EMF also commits to apply for Channel 298A at Perryville and to promptly construct the facilities should it be granted the construction permit.

As set forth in the attached engineering statement, Channel 296A can be allotted at Wilmore and Channel 298A can be allotted at Perryville consistent with Commission rules. See Engineering Statement, Exhibit 1 hereto. Moreover, Wilmore, an incorporated city of 5,905 people, has already been found by the Commission to be a community for allotment purposes,

Concurrently with the issuance of the NPRM, the Commission issued an Order to Show Cause to Hammond Broadcasting, Inc., Ltd. to show cause why its license should not be modified.

having one existing FM allotment. Perryville, an incorporated city of 763, has the social, economic, and cultural characteristics of a community and warrants a first local aural transmission service. Perryville is best known as the site of the 1862 Battle of Perryville, in which 16,000 Confederate troops battled 25,000 Union soldiers in one of the fiercest and most desperate struggles of the American Civil War. The city is the site of the Perryville Civil War Battlefield State Historic Site, one of the most pristine battlefields in the nation, and historic Merchants' Row, the city's antebellum commercial district. Due to its historic significance, in 1961, Perryville and the surrounding area were made part of a National Historic Landmark area. In 1973, the entire town of Perryville was put on the National Register of Historic Places. *See* Exhibit 2 hereto, which sets forth information about the city of Perryville.

Perryville has its own municipal government comprised of a mayor and city council. The city has its own post office and zip code (40468) and maintains its own police and fire departments. Perryville Elementary School, serving preschool through Grade 5, is located in the city and is part of the Boyle County school system. In addition, the city is home to several churches, including Perryville Baptist Church, Perryville United Methodist Church, and Perryville First Christian Church Disciples of Christ; civic organizations, including the Perryville Investment Club and the Lions Club; as well as a number of local businesses, including Perryville Furniture Mart, Perryville Convenient Center, Farmers National Bank, Elmwood Inn, Leonard Battlefield Food Mart & Deli, and Magnolia Cottage Gift Shoppe. See Exhibit 2. Thus, Perryville has all of the attributes of a community for allotment purposes.<sup>2/</sup>

Cf. Moncks Corner, Kiawah Island, and Sampit, South Carolina, 15 FCC Rcd 8973 (2000) (finding Sampit, South Carolina, a 150 person community, to be a community for allotment purposes because it had a core group of business, social, religious, and civic organizations that claimed to identify with and serve the needs of the community as well as citizens who claimed to perceive themselves as part of the community); Pentwater Footnote continued on next page

In choosing between conflicting allotment proposals, the Commission applies the following priorities: (1) first full-time aural service; (2) second full-time aural service; (3) first local service; and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3).<sup>3/</sup> In this case, EMF's proposal must not only be compared to the petitioners' proposed channel changes, but it must also be compared to the existing WHIR-FM allotment. Under both comparisons, EMF's proposal is to be preferred. Specifically, EMF's proposal will result in the provision of a first local service to the community of Perryville, allotment priority 3, without depriving Danville of local service.<sup>4/</sup> Moreover, under allotment priority 4, the proposed reallotment to Wilmore will permit the upgrade of WHIR-FM, which will result in the provision of 60 dBu service to an additional 249,648 people in 1,295.75 square kilometers, a net increase in population coverage of 382.78% and in area of 108.63%. While these figures include a loss of service by 26,687 people in an area of 471.35 square kilometers, all of these individuals will continue to be well-served with five or more reception services and will also be served by the new Perryville station. See Exhibit 1.<sup>5/</sup> By contrast, petitioners' channel changes will only produce a net population gain of 141,179.

Footnote continued from previous page

and Walhalla, Michigan, 13 FCC Rcd 6580 (MM Bur. 1998) (finding Walhalla, Michigan, a 400 person community located in Branch Township, to be a community for allotment purposes because it constituted an identifiable population grouping with businesses and community organizations that identified themselves with its residents).

Revision of FM Policies and Procedures, 90 FCC 2d 88 (1982).

Danville will continue to be served by WHIR(AM) and WDFB-FM.

This minor level of service loss is consistent with past cases in which applicants have been permitted to change their communities of license. *Cf. Clinton and Okarche, Oklahoma*, 14 FCC Rcd 3554 (MB 1999) (granting proposed reallotment though 54,423 people would lose service, of which 10,369 would be left with four services or less).

For these reasons, EMF urges the Commission to adopt this counterproposal to reallot Channel 296A from Danville to Wilmore, Kentucky, and modify the license of WHIR-FM to specify Wilmore as its community of license and to allot Channel 298A at Perryville, Kentucky, as that community's first local transmission service.

Respectfully submitted,

**EDUCATIONAL MEDIA FOUNDATION** 

By: Veronic D. Melanghe Typett
David D. Oxenford

Veronica D. McLaughlin Tippett

Its Attorneys

PILLSBURY WINTHROP SHAW PITTMAN LLP 2300 N Street, NW Washington, DC 20037-1128 (202) 663-8000

Dated: September 19, 2005

# EXHIBIT 1

# **DECLARATION**

# ENGINEERING STATEMENT

Educational Media Foundation ("EMF"), licensee of FM Station WHIR-FM on Channel 296A at Danville, Kentucky has prepared this Engineering Statement in support of a Petition for Rule Making to amend the Table of FM Allotments, Section 73.202(b), to allocate Channel 296A to Wilmore, Kentucky, as its second local aural transmission service. In addition, EMF proposes the allocation of a new station on Channel 298A at Perryville, Kentucky, as its first local aural transmission service. It is proposed to amend the Table of FM Allotments as follows:

Community	Present Allocation	Proposed Allocation
Danville, KY	296A	*
Wilmore, KY	237A	237A, 296A
Perryville, KY		298A

<sup>\*-</sup> Although the table of allotments shows no other service in Danville, Kentucky, Danville will continue to be served by WDFB-FM 201A and WHIR-AM 1230.

1. Danville class A to Wilmore class A: As the proposed change is mutually exclusive with its current license, EMF proposes to change the city of license for WHIR-FM from Danville, Kentucky to Wilmore, Kentucky in accordance with Section 1.420(i) of the Commission's rules. The reference coordinates of Wilmore are as follows:

#### NAD-27

North Latitude: 37-51-43 West Longitude: 084-39-42

EMF has located a site that meets the spacing requirements and the selected site is identified as follows:

#### NAD-27

North Latitude: 37-49-36 West Longitude: 084-31-42

**2.** New Channel 298A at Perryville, KY: EMF also proposes to allocate Channel 298A to Perryville, Kentucky. The reference coordinates for Perryville are as follows:

### <u>NAD-27</u>

North Latitude: 37-39-01 West Latitude: 084-57-06

EMF has located a site that meets the spacing requirements and the selected site is identified as follows:

NAD-27

North Latitude: 37-37-40 West Longitude: 084-51-57

#### WILMORE

According to the United States Department of Commerce, Bureau of Census, the 2000 population figure for Wilmore, Kentucky is 5,905 people. The city lies in Jessamine County, with a county population of 30,041. Allocating Channel 296A to Wilmore will provide coverage within the 70dBu contour to 45,593 persons, and within the 60dBu contour to 314,867 people (an area of 2488.55 sq. km).

The present WHIR-FM Class A facility covers a population, within the 60dBu contour, of 65,219 people within an area of 1192.80 sq. km. Compared to the proposed facility at Wilmore, the change in facilities will provide a 382.78% increase in population and an overall increase in area of 108.63%.

Moving WHIR-FM to Wilmore, Kentucky would not only provide service to a larger population, but would make a more efficient use of the FM spectrum.

#### **PERRYVILLE**

With regard to the proposed allocation at Perryville, Kentucky, according to the United States Department of Commerce, Bureau of Census, the 2000 population figure for Perryville, Kentucky is 763 people. Perryville is a city with a Police department, six churches and an elementary school. Perryville lies in Boyle County, with a county population of 27,697. Allocating Channel 298A to Perryville will provide coverage within the 70dBu contour to 43,999 persons and within the 60dBu contour to 77,799 (an area of 2,469.31 sq. km).

### ENGINEERING MATERIAL

## WHIR-FM Wilmore – Exhibit 1

Exhibit 1-A is an FM channel study for Channel 296A from the reference coordinates for the proposed city of license for WHIR-FM, Wilmore, Kentucky. The study includes all of the other allocations contemplated in this proposal. As shown, there is a 3.06 kilometer short spacing, therefore we are requesting this allotment be granted with the requirement that the station be located a minimum of 3.06 kilometers southeast of Wilmore.

Exhibit 1-B is an FM channel study for channel 296A from the fully spaced site southeast of Wilmore. As shown, channel 296A from this site meets the requirements of Section 73.207 of the Rules and Regulations.

Exhibit 1-C and 1-D show the predicted distance to the 70 dBu contours for the proposed class A facility at Wilmore and for the current class A facility at Danville with associated HAAT, population, and coverage area figures.

Exhibit 1-E is a map showing the 70dBu and 60dBu contours of the proposed WHIR-FM operation on Channel 296A and the city of license, Wilmore, Kentucky. Wilmore lies within the proposed 70 dBu contour, thereby meeting the requirements of Section 73.315 of the Rules and Regulations. The city limits of Wilmore are indicated on the map.

Exhibit 1-F is a showing of the elevation profile from the proposed transmitter to Wilmore. The site chosen maximizes coverage with no interference, is high in elevation, has line of sight to Wilmore, and has no obstructions toward the city of license. Therefore, this petition fully meets the requirements of Section 73.315 of the Rules and Regulations.

Exhibits 1-G through 1-J are a Gain/Loss showing for the proposed allocation site for WHIR-FM. Exhibit 1-G is a map with the gain and loss areas color coded. Exhibit 1-H is a population report of the current licensed WHIR-FM, Exhibit 1-I is a population report of the WHIR-FM allocation proposed, and Exhibit 1-J is a population report of the overlap area between the two. As can be seen, the proposed move creates a gain of 276,335 persons and 1767.1 sq km of area. Also, the proposed move creates a loss of 26,687 persons and 471.35 sq. km of area. Note that this area will continue to be well served as shown in Exhibit A (which is also attached to this petition).

### Perryville – Exhibit 2

Exhibit 2-A is an FM channel study for channel 298A from the reference coordinates for the proposed city of license, Perryville, Kentucky. The study includes all of the other allocations contemplated in this proposal. As shown, there is a 7.46 kilometer short spacing, therefore we are requesting this allotment be granted with the requirement that the station be located a minimum of 7.46 kilometers east of Perryville.

Exhibit 2-B is an FM channel study for Channel 298A from the fully spaced site east of Perryville. As shown, channel 298A from this site meets the requirements of Section 73.207 of the Rules and Regulations.

Exhibit 2-C shows the predicted distance to the 70 dBu contours for the proposed class A facility at Perryville with associated HAAT, population, and coverage area figures.

Exhibit 2-D is a map showing the 70dBu and 60dBu contours of the proposed allocation on Channel 298A and the city of license, Perryville, Kentucky. Perryville lies within the proposed 70dBu contour, thereby meeting the requirements of Section 73.315 of the Rules and Regulations. The city limits of Perryville are indicated on the map.

Exhibit 2-E is a showing of the elevation profile from the proposed transmitter to Perryville. The site chosen maximizes coverage with no interference, is high in elevation, has line of sight to Perryville, and has no obstructions toward the city of license. Therefore, this petition fully meets the requirements of Section 73.315 of the Rules and Regulations.

# CONCLUSION

The petitioner affirms its intention to file applications to modify the facilities of WHIR-FM for operation on Channel 296A at Wilmore and for a new station on Channel 298A at Perryville, if it is allotted. Also, the petitioner affirms that if authorized, it will build the requested facilities promptly.

It is believed that all methods employed in making the determinations contained within this Engineering Statement were in accordance with applicable FCC Rules and Regulations and good engineering practice.

For each FM station presented in these exhibits, terrain elevation data from three to sixteen kilometers on radials spaced at one-degree azimuthal intervals starting at True North were extracted from the computerized thirty-second point elevation database version of <u>Elevation</u> <u>Data for North America</u>, available at the Department of Commerce, National Geophysical Data Center, National Oceanic and Atmospheric Administration. A total of 131 points along each radial were linearly interpolated according to section 73.312(d). For HAAT calculations, 8 radials were utilized.

The height above average terrain along each of the 360 radials was computed by averaging the elevations between three and sixteen kilometers below the antenna radiation center in accordance with section 73.313(d)(3).

The locations of the 60 dBu F(50,50) service contours were calculated according to the computer methods outlined in F.C.C. publication PB-249144, <u>Field Strength Calculations for TV and FM Broadcasting</u>. The computer methods use digitized data taken directly from the graph of section 73.333 Figure 1. Intermediate values are obtained using bivariate interpolation techniques for surface fitting.

I declare under penalty of perjury that the foregoing is true and correct.

David Velasquez

Application Coordinator Educational Media Foundation

September 19, 2005

# **Reference Coordinates for Wilmore**

REFERENCE 37 51 43 N. 84 39 42 W.	(	CLASS Current Channel 296 -	Snacin	gs MHz	D	ISPLAY D ATA 09 EARCH 09	-15-05
Call Cha	annel Locat	tion		Azi	Dist	FCC	Margin
RADD ADD 2 WKFS LIC-N 2 WVEZ LIC 2 WCTTFM LIC 2 WLFX LIC-Z 2 RADD ADD 2 RADD ADD 2 RADD ADD 2 WXKYFM CP 2 WXKYFM LIC 2 WXKCA.C CP -N 2 WKCBFM LIC 2 WKCBFM LIC 2 WKCA LIC-N 2 RDEL DEL 2 WIOK LIC 2 WKCA LIC-N 2 RDEL DEL 2 WIOK LIC 2 WKCA LIC-N 2 RDEL DEL 2 WNKR A APP 2 WNKR A APP 2 WNKR RSV 2	294A Berea 297A Hodgen 297A New Hav 295A Owings 242C3 Stanfol 242C3 Stanfol 297A Lebanor 297A Lebanor	ille  d ille  Grove  ville  ven  ville  rd  n Junction  n Junction  ville  th  th  ville  ille  instown  mstown  mstown	KY KY KY KY KY KY KY KY KY KY KY KY KY K	231.7 116.2 257.3 260.4 71.0 206.1 206.1	116.73 118.21 181.10 50.40 92.27 93.78 97.90 41.75 41.75 103.28 103.28 103.28 76.41	115.0	-101.57 -92.17 -13.25 -3.06 3.73 12.21 15.10 19.40 20.27 21.78 25.90 29.75 29.75 29.75 31.28 31.28 45.41 47.37 53.66 54.75 59.98 61.00 61.00 67.27

<sup>• -</sup> The deletion of these records is included in this proposal.

# **Proposed Site for Wilmore 296A**

REFERENCE 37 49 36 N. 84 31 42 W.	CLAS: Current Channel 296	s = A Spacings - 107.1 MHz		DISPLAY   DATA 0: SEARCH 0:	9-13-05
Call Chan		Azi	Dist	FCC	Margin
WKFS LIC-N 29 WCTTFM LIC 29 NEW PrO 29 WLFX LIC-Z 29 WVEZ LIC 29 RADD ADD 29 WUHU LIC-N 29 RADD ADD 29 WXKYFM LIC 24 WXKYFM LIC 24 WXKYFM LIC 29 WKCA.C CP -N 29 RDEL DEL 29 WTHX LIC 29 WTHX LIC 29 RDEL DEL 29 WKCA LIC-N 29 RDEL DEL 29 WKCA LIC-N 29 WKCA LIC-N 29 WKCA LIC 29 WIOK LIC 29 WIOK LIC 29 WNKR APP 29 WNKR APP 29 WKR.A APP 29 WKL.A APP 29	8C3 Midway 6B1 Milford 7C2 Corbin 8A Perryville 4A Berea 5B Louisville 5A Owingsville 6C2 Smiths Grove 67A Hodgenville 7A New Haven 2C3 Stanford 6A Hindman 9A Owingsville 67A Lebanon Junction 7A Lebanon Junction 7A Lebanon Junction 7A Lebanon Junction 8A Falmouth 8A Falmouth 8A Falmouth 8A Falmouth 8A williamstown 84A Williamstown 84A Williamstown 84A Williamstown	KY 23 KY 355. OH 0. KY 158. KY 233. KY 118. KY 298. KY 266. KY 261. KY 263. KY 221. KY 221. KY 221. KY 225. KY 265. KY 265. KY 265. KY 265. KY 265. KY 357. KY 357. KY 357. KY 357. KY 300. KY 90. KY 107.	9 143.18 9 109.92 4 37.04 8 38.18 5 128.90 2 88.38 0 103.08 104.51 1 150.01 4 67.29 6 114.57 6 114.57 6 114.57 6 114.57 77.27 8 85.65 8 85.65 95.80 0 95.80 0 95.80 1 181.59 1 109.59	7 115.0 42.0 143.0 106.0 31.0 31.0 72.0 166.0 72.0 12.0 12.0 12.0 31.0 31.0 31.0 31.0 31.0 31.0 31.0	-87.93 -10.81 0.18 3.92 6.04 7.18 15.90 16.38 22.20 31.08 32.87 33.11 35.01 36.29 42.57 42.57 42.57 46.27 54.65 54.65 64.80 64.80 66.59 67.59 73.70

<sup>\* -</sup> The deletion of these records is included in this proposal.

# Distance to the 70dBu F(50,50) contour for Proposed Ch 296A Wilmore

Call Letters: WHIR.allo Latitude: 37-49-36 N Longitude: 084-31-42 W

ERP: 6.00 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 357.83 m Elevation: 272.74 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

Type of contour: FCC

Location Variability: 50.0 % Time Variability: 50.0 % # of Radials Calculated: 360 Field Strength: 70.00 dBuV/m

Primary Terrain: V-Soft 30 Second US Database Secondary Terrain: V-Soft 3 Second US Terrain

Bearing (deg)	Distance (km)	HAAT (m)
0.0	13.2	67.4
45.0	13.7	73.7
90.0	17.2	111.5
135.0	18.5	128.6
180.0	18.0	121.5
225.0	17.4	114.0
270.0	16.4	102.0
*288.49	16.0	98.0
315.0	14.4	81.5

Average HAAT for radials shown: 100.0 m

\*Extra radial included to show HAAT toward proposed city of license. This radial is not calculated in average HAAT.

Area and population calculated with 360 radials:

60 dBu F(50,50) Area ≈ 2488.55

70 dBu F(50,50) Population using 2000 Census Block data: 45,593 60 dBu F(50,50) Population using 2000 Census Block data: 314,867

# Distance to the 70dBu F(50,50) contour for Current WHIR-FM Ch 296A (Licensed facility) at Danville

Call Letters: WHIRFM

File Number: BMLED20050131AQF

Latitude: 37-40-28 N Longitude: 084-46-06 W

ERP: 4.90 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 325.0 m Elevation: 272.0 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

Type of contour: FCC

Location Variability: 50.0 % Time Variability: 50.0 % # of Radials Calculated: 360 Field Strength: 70.00 dBuV/m

Primary Terrain: V-Soft 30 Second US Database Secondary Terrain: V-Soft 3 Second US Terrain

Bearing (deg)	Distance (km)	HAAT (m)
0.0	11.4	54.6
45.0	13.1	74.4
90.0	11.8	58.3
135.0	11.5	54.7
180.0	8.5	26.0
225.0	8.5	7.8
270.0	10.9	49.5
315.0	11.4	54.4

Average HAAT for radials shown: 47.5 m

Area and population calculated with 360 radials:

60 dBu F(50,50) Area = 1192.80

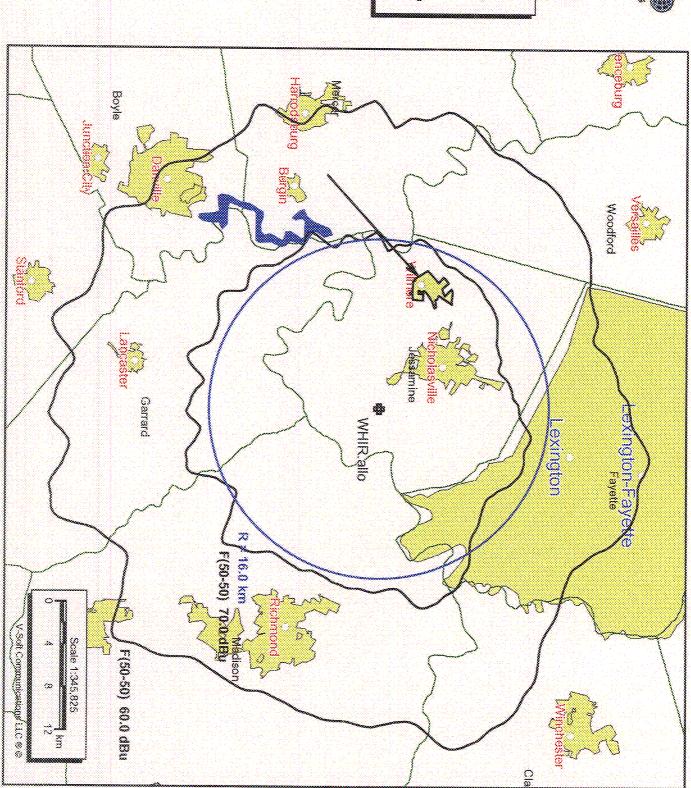
70 dBu F(50,50) Population using 2000 Census Block data: 28,250 60 dBu F(50,50) Population using 2000 Census Block data: 65,219

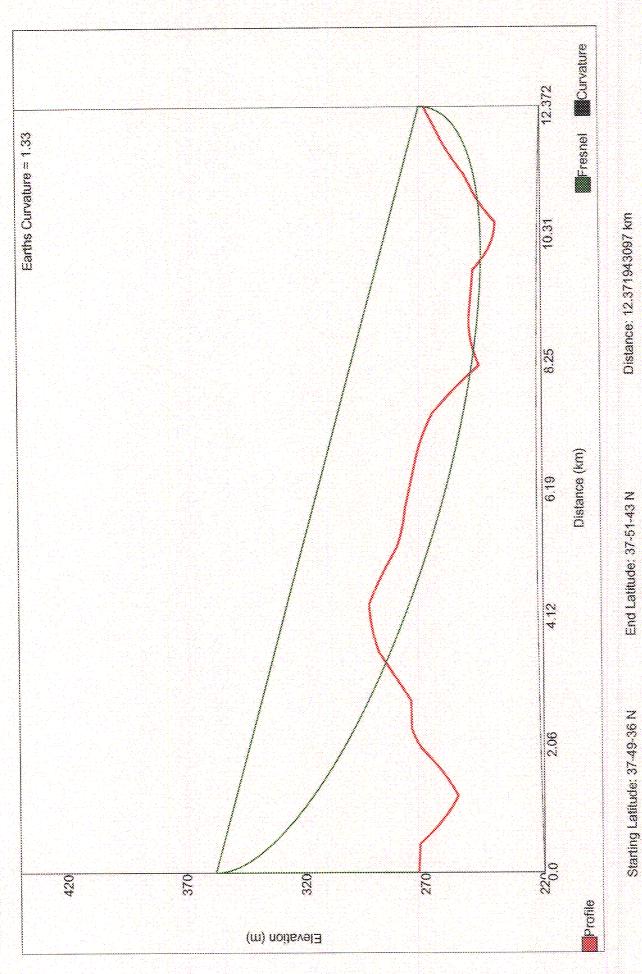


Exhibit 1-E

WHIR.allo

Latitude: 37.49.36 N Longitude: 084-31-42 W ERP: 6.00 KW Channel: 296 Frequency: 107.1 MHz AMSL Height: 357.83 m Elevation: 272.74 m Horiz: Pattern: Omni





Bearing: 288.491 deg

End Longitude: 084-39-42 W

Starting Longitude: 084-31-42 W

Transmitter Height (AG) = 85.1 m Receiver Height (AG) = 2.0 m

Transmitter Elevation = 272.8 m Receiver Elevation = 268.3 m

Frequency = 107.1 MHz

Fresnel Zone: 0.6

V-Soft Communications LLC



# Exhibit 1-G

# WHIREM BMLED20050131AQF

Latitude: 37-40-28 W
Longitude: 084-46:06 W
ERP: 4.90 kW
Channel: 296
Frequency: 107.1 MHz
AMSL Height: 325.0 m
Elevation: 272.0 m
Horiz: Pattern: Omni

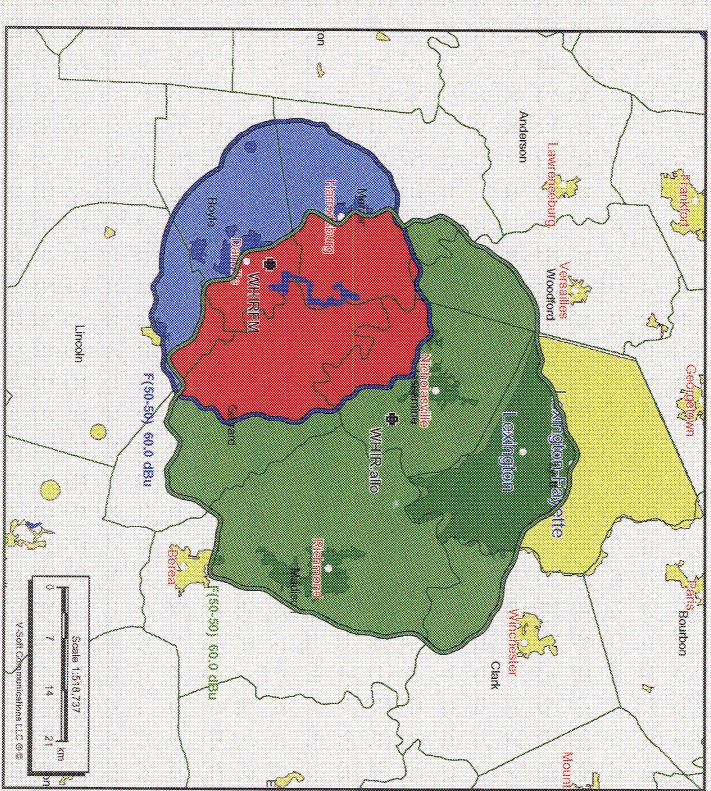
# WHIR allo

Latitude: 37-49-36 N
Longitude: 084-31-42 W
ERP: 6:00 kW
Channel: 286
Frequency: 107.1 MHz
AMSL Height: 357-83 m
Elevation: 272.74 m
Horiz: Pattern: Omni

Loss erea

Gain area

Overlap area



## Exhibit 1-H

V-Soft Communications Population Report

Contour Parameters: Type: FCC Contour

F(50-50) FS: 60.00 dBu [360 Radials]

Population Database: 2000 US Census (SF1)

Primary Terrain: V-Soft 30 Second US Database Secondary Terrain: V-Soft 3 Second US Terrain

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Transmitter Information:

Call Letters: WHIRFM

File Number: BMLED20050131AQF

Latitude: 37-40-28 N Longitude: 084-46-06 W

ERP: 4.90 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 325.0 m Elevation: 272.0 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

Total Population Within Contour: 65,219 Total Housing Units Within Contour: 27,254 Total Area Within Contour: 1192.80 sq. km

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#### Exhibit 1-I

V-Soft Communications Population Report

Contour Parameters: Type: FCC Contour

F(50-50) FS: 60.00 dBu [360 Radials]

Population Database: 2000 US Census (SF1)

Primary Terrain: V-Soft 30 Second US Database Secondary Terrain: V-Soft 3 Second US Terrain

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Transmitter Information:

Call Letters: WHIR.allo Latitude: 37-49-36 N Longitude: 084-31-42 W

ERP: 6.00 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 357.83 m Elevation: 272.74 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

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Total Population Within Contour: 314,867 Total Housing Units Within Contour: 136,625 Total Area Within Contour: 2488.55 sq. km

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### Exhbit 1-J

V-Soft Communications Population Report

WHIRFM / WHIR.allo

This overlap region consists of the intersection of the following contours:

WHIRFM: FCC F(50-50) 60.00 dBu WHIR.allo: FCC F(50-50) 60.00 dBu

Population Database: 2000 US Census (SF1)

Total Population Within Overlap Region: 38,532 Total Housing Units Within Overlap Region: 15,674 Total Area Within Overlap Region: 721.45 sq. km

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WHIRFM: FCC F(50-50) 60.00 dBu

Transmitter Information:

Call Letters: WHIRFM

File Number: BMLED20050131AQF

Latitude: 37-40-28 N Longitude: 084-46-06 W

ERP: 4.90 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 325.0 m Elevation: 272.0 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

WHIR.allo: FCC F(50-50) 60.00 dBu

Transmitter Information:

Call Letters: WHIR.allo Latitude: 37-49-36 N Longitude: 084-31-42 W

ERP: 6.00 kW Channel: 296

Frequency: 107.1 MHz AMSL Height: 357.83 m Elevation: 272.74 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

# Reference Coordinates for Perryville

REFERENCE 37 39 01 N. 84 57 06 W.		CLAS: Current Channel 298	S = A Spaci - 107.	ngs 5 MHz		DISPLAY 1 DATA 09 SEARCH 09	9-15-05
Call		Location		Azi		FCC	Margin
* WHIRFM AF RADD ADD RADD ADD RDEL DEL WIOK LIC RDEL DEL WTHX LIC WSFR LIC WCTTFM LIC WSFF.C CP WRVW LIC RDEL DEL WBTF. CP WKCA.C CP WVEZ LIC RDEL DEL	298C3 C-N 296A 297A 297A 297A 297A 297A 297A 297A 297		KY	34.3 80.5 55.7 272.8 276.5 26.2 277.7 277.7 304.9 137.0 30.3 227.3 24.2 62.1 316.6 59.5 59.5 44.6 106.9 150.4 201.8	16.3 21.9 64.54	0 31.0 72.0 72.0	-7.46

<sup>\* -</sup> The deletion of these records is included in this proposal.

# **Proposed Site for Perryville 298A**

Call Channel Location Azi RADD ADD 298C3 Midway KY 27.0 RADD ADD 297A Hodgenville KY 274.5	DISPLAY DATES DATA 09-13-05 SEARCH 09-14-05
	Dist FCC Margin
RADD ADD 297A Hodgenville KY 274.5 WIOK LIC 298A Falmouth KY 22.3 RDEL DEL 298A Falmouth KY 22.3 WCTTFM LIC 297C2 Corbin KY 139.1 RADD ADD 297A New Haven KY 277.8 WHIRFM PRO 296A Danville KY 53.2 RDEL DEL 297A Lebanon Junction KY 278.8 RDEL DEL 297A Lebanon Junction KY 278.8 WTHX LIC 297A Lebanon Junction KY 278.8 WSFR LIC 299B1 Corydon IN 303.7 WBTF.C CP -Z 300A Midway KY 21.4 WRVW LIC 298C1 Lebanon TN 229.1 WKCA.C CP -N 299A Owingsville KY 59.0 WBTF LIC-N 300A Midway KY 17.3 RDEL DEL 300A Midway KY 17.3 RDEL DEL 300A Midway KY 17.3 WKCA LIC-N 299A Owingsville KY 56.6 RDEL DEL 299A Owngsville KY 56.6 RDEL DEL 299A Owngsville KY 56.6 WVEZ LIC 295B Louisville KY 314.8 WGKS LIC 245C2 Paris KY 38.9 WWAG LIC 300A Mckee KY 106.8 WIVKFM LIC 299C Knoxville TN 151.8 WKYRFM LIC 300A Burkesville KY 206.2	59.79       142.0       -82.21         72.27       72.0       0.27         115.30       115.0       0.30         115.30       115.0       0.30         106.35       106.0       0.35         75.18       72.0       3.18         37.04       31.0       6.04         85.49       72.0       13.49         85.49       72.0       13.49         85.49       72.0       13.49         110.31       96.0       14.31         49.85       31.0       18.85         228.94       200.0       28.94         104.05       72.0       32.05         65.98       31.0       34.98         65.98       31.0       34.98         114.22       72.0       42.22         114.22       72.0       42.22         118.05       69.0       49.05         71.31       15.0       56.31         88.59       31.0       57.59         228.13       165.0       63.13         103.50       31.0       72.50

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# Distance to the 70dBu F(50,50) contour for Proposed Ch 298A Perryville

Call Letters: New
Latitude: 37-37-40 N
Longitude: 084-51-57 W

ERP: 6.00 kW Channel: 298

Frequency: 107.5 MHz AMSL Height: 394.297 m Elevation: 293.97 m

Horiz. Antenna Pattern: Omni Vert. Elevation Pattern: No

Type of contour: FCC

Location Variability: 50.0 % Time Variability: 50.0 % # of Radials Calculated: 360 Field Strength: 70.00 dBuV/m

Primary Terrain: V-Soft 30 Second US Database Secondary Terrain: V-Soft 3 Second US Terrain

Bearing (deg)	Distance (km)	HAAT (m)
0.0	18.5	127.8
45.0	17.6	115.5
90.0	17.1	110.1
135.0	14.5	82.4
180.0	9.9	37.7
225.0	15.0	87.8
270.0	17.2	110.9
*288.27	17.8	118.3
315.0	18.5	127.8

Average HAAT for radials shown: 100.0 m

\*Extra radial included to show HAAT toward proposed city of license. This radial is not calculated in average HAAT.

Area and population calculated with 360 radials:

60 dBu F(50,50) Area = 2469.24

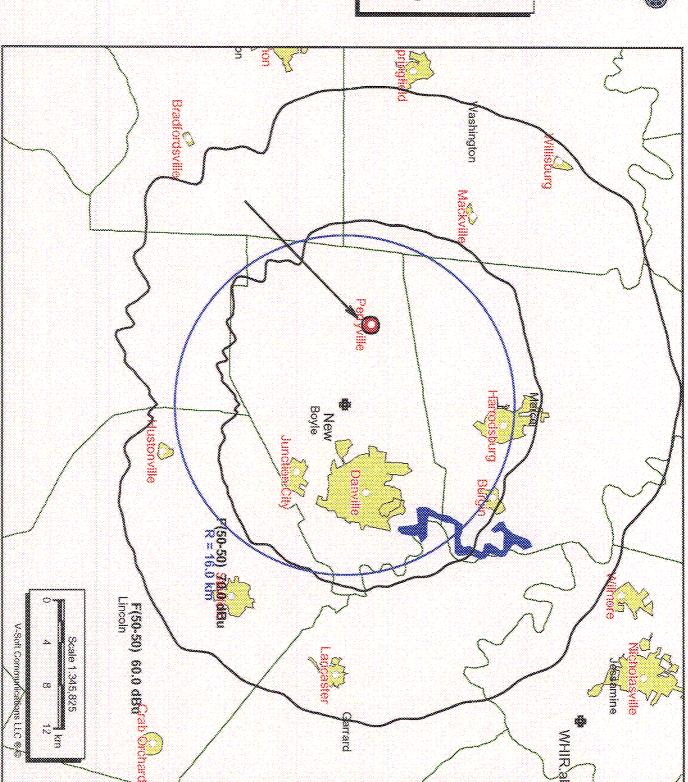
70 dBu F(50,50) Population using 2000 Census Block data: 43,999 60 dBu F(50,50) Population using 2000 Census Block data: 77,799

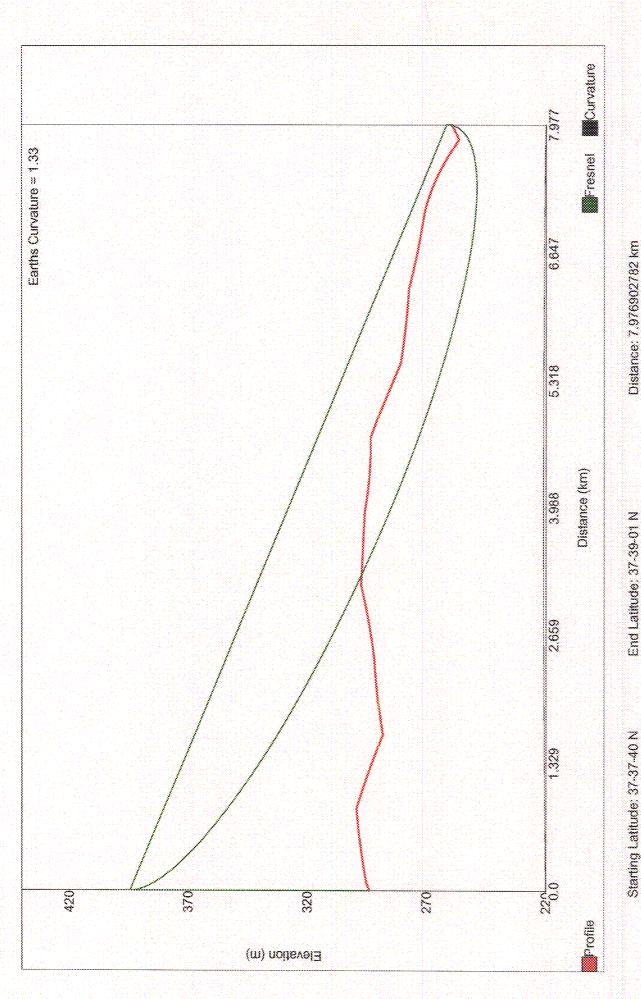


# Exhibit 2-D

Mok

Latitude: 37-37-40 N Longitude: 084-51-57 W ERP: 6.00 kW Channel: 298 Frequency: 107.5 MHz AWSL Height: 394.297 m Elevation: 293.97 m Horiz, Pattern: Omni





Frequency = 107.5 MHz Freshel Zone: 0.6 Transmitter Elevation = 294.0 m Receiver Elevation = 259.6 m

Transmitter Height (AG) = 100.3 m

Receiver Height (AG) = 2.0 m

Bearing: 288.270 deg

End Longitude: 084-57-06 W

Starting Longitude: 084-51-57 W

V-Soft Communications LLC